



*JPW*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of )

Francis C. CARROLL )

Examiner: Marie D. Patterson )

Application number: 10/797,934 )

Confirmation No. 4211 )

Filing date: March 11, 2004 )

Art Unit 3728 )

Reissue of U.S. Patent No. 6,530,162 )

Issued March 11, 2003 )

For: SPORTS SHOE CLEATS )

**NOTICE UNDER 37 C.F.R. § 1.178(b)**

Mail Stop Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.178(b), the Applicant, through undersigned counsel, hereby notifies the Office of the following pending litigation filed with regard to the patent sought to be reissued by the above-captioned application for reissue: *Greenkeepers, Inc., et al v. Nike, Inc., et al*, Civil Action No. 04-CV-3747, United States District Court for the Eastern District of Pennsylvania. On April 5, 2005, the court issued an order staying that action pending the resolution of the present reissue. A copy of the order is attached.

The Applicant further notifies the Office that in Interference No. 105,146, *Carroll v. McMullin*, the Board of Patent Appeals and Interferences has issued a judgment and opinion entirely favorable to Carroll, although that judgment is under appeal to the United States Court of Appeals for the Federal Circuit.

Please charge any deficiency in fees, or credit any overpayment thereof, to BLANK  
ROME LLP, Deposit Account No. 23-2185.

Respectfully solicited,

Francis C. Carroll

A handwritten signature in black ink, appearing to read "Victor M. Wigman". The signature is fluid and cursive, with the first name "Victor" and last name "Wigman" clearly distinguishable.

By:  
Victor M. Wigman  
Reg. No. 25,201

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA



GREENKEEPERS, INC., ET AL.

CIVIL ACTION

v.

NO. 04-CV-3747

NIKE, INC., ET AL.

**ORDER**

AND NOW, this 5<sup>th</sup> day of April, 2005, upon consideration of the Unopposed Motion To Stay This Action (Doc. No. 18), it is ORDERED that the Motion is GRANTED. This action is stayed and the Clerk of Court is directed to place this case in civil suspense pending the conclusion of the reissue proceedings concerning U.S. Pat. No. 6,530,162. Plaintiff shall notify the Court within thirty (30) days of completion of the reissue proceedings.

IT IS SO ORDERED.

BY THE COURT:

A handwritten signature in black ink, appearing to be "R. Barclay Surrick", written over a horizontal line.

R. Barclay Surrick, Judge

**BEST AVAILABLE COPY**